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STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

KELLY A. CEGIELSKI
9 BUTLER
LANCASTER, NEW YORK 14086

Plaintiff,

vs.

SUMMONS

Index No.

TARGET CORPORATION
1000 NICOLLET MALL
MINNEAPOLIS, MN 55403

TARGET CORPORATION
4920 TRANSIT ROAD
DEPEW, NEW YORK 14043

Defendants.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED and required to serve upon plaintiff's attorneys an answer to the complaint in this action within twenty (20) days after the service of this summons, exclusive of the day of service, or within thirty (30) days after service is complete if this summons is not personally delivered to you within the State of New York. In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the complaint.

The basis of the venue designated is Plaintiff's residence:

9 BUTLER, LANCASTER, NEW YORK

DATED: Hamburg, New York
March 20, 2020

Yours, etc.,

JASON C. LUNA

By: 

Jason C. Luna, Esq.
Attorneys for Plaintiff
4535 Southwestern Blvd., Suite 804B
Hamburg, New York 14075
(716) 648-6666

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

KELLY A CEGIELSKI

Plaintiff,

COMPLAINT

vs.

Index No.

TARGET CORPORATION
TARGET CORPORATION

Defendants.

Plaintiff, above-named by her attorneys JASON C. LUNA, PLLC, for her
complaint against defendants, above-named, allege upon information and belief:

1. At all times herein relevant, Plaintiff has been a resident of the County of Erie and State of New York.
2. At all times herein relevant, defendant, TARGET CORPORATION was and is authorized to conduct business in the State of New York and did in fact conduct business in the State of New York.
3. At all times herein relevant, defendants have been a domestic corporation duly authorized to do business in the State of New York and has conducted business in the State of New York.
4. At all times herein relevant, defendants have been a foreign corporation duly authorized to do business in the State of New York and has conducted business in the State of New York.
5. On or about May 5, 2017, the defendants committed a tortuous act within the State of New York.

6. On or about May 5, 2017, defendants was the lessees in possession of real property located at 4920 Transit Road, located in the Village of Depew, County of Erie, State of New York (hereinafter referred to as "Target").

7. That prior to and as of May 5, 2017, defendants were responsible for the operation, maintenance and upkeep of said premises including floors, aisles and walkways of the property commonly known Target Corporation located at 4920 Transit Road, within the Village of Depew, Town of Cheektowaga, County of Erie, State of New York and was obligated to maintain said premises in a reasonable safe condition and to keep said premises free from defect or dangerous condition.

8. On or about May 5, 2017, plaintiff, Kelly A. Cegielski was lawfully upon the premises commonly known as Target Corporation located at 4920 Transit Road and located within the Village of Depew, Town of Cheektowaga, County of Erie, State of New York.

9. On or about May 5, 2017 plaintiff Kelly A. Cegielski was caused to slip on a hazard and/or object in an aisle/walkway of Target Corporation at 4920 Transit Road, located within the Village of Depew, Town of Cheektowaga, County of Erie, State of New York and sustained injury.

10. That the plaintiff was at all times using due care.

11. That said incident described in paragraph 9 was due to the negligence and carelessness of the defendants herein.

12. Upon information and belief, the negligence of the defendants, their agents, servants, employees and/or representatives consisted of failing to

properly and adequately maintain the premises; causing and allowing a dangerous and defective condition to exist; causing and allowing hazardous and slippery conditions to exist; and failing to provide a safe place for persons to walk on said premises; failing to warn plaintiff and others of the dangerous and slippery condition; and were otherwise careless and negligent.

13. That by reason of the premise, plaintiff KELLY A. CEGIELSKI suffered certain severe, permanent and painful injuries, internal as well as external, by reason of which she will be compelled to expend large sums of money for medical bills; and that the plaintiff has been and will be incapacitated from performing her usual duties for a long period of time, all to her damage against the defendants pursuant to CPLR 3017, in an amount which exceeds the monetary jurisdictional limits of all lower Courts in the State of New York.

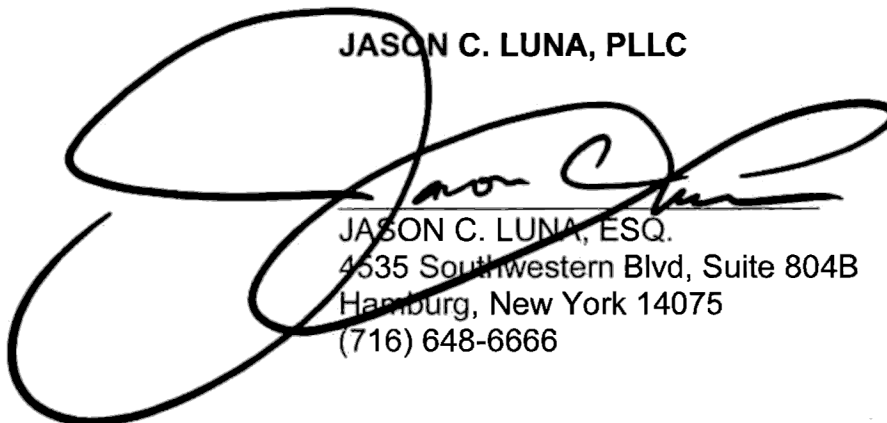
14. Defendants or defendants' agents, employees and/or servants had notice of the aforementioned defective and dangerous condition.

WHEREFORE, plaintiff demands judgment against defendants, in an amount which exceeds the monetary jurisdictional limits of all lower Courts in the State of New York together with damages for economic and non-economic losses, and plaintiff demands such other, further and different relief as the Court may deem just and proper, together with the costs and disbursements of this action.

DATED: Hamburg, New York
March 20, 2020

Yours, etc.,

JASON C. LUNA, PLLC

A large, stylized handwritten signature in black ink, appearing to read "Jason C. Luna", is written over the printed name and address.

JASON C. LUNA, ESQ.
4535 Southwestern Blvd, Suite 804B
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